

§ 1302.4

surfaces are joined under low or moderate pressure; and

(3) Are composed of a high percentage (70-90 percent by weight) of solvents and a low percentage of solids (10-30 percent by weight); and

(4) Are substances that are non-aerosols and are free-flowing, having a wet viscosity within the range of 300-6,000 centipoise at 70 degrees Fahrenheit when measured by an RVF Brookfield viscometer; and

(5) Are packaged in containers of more than one-half pint.

(c) The term *flash point* means the lowest temperature corrected to a pressure of 101.3 RPa (1013 millibars) of a substance at which application of an ignition source causes the vapor above the substance to ignite under specified conditions of test. A blue light (blue halo) or other colored light which sometimes surrounds the test flame should not be confused with the true ignition of the vapors (flash point).

(d) *Initial introduction into commerce* occurs when the manufacturer ships a product covered by this regulation from a facility of the manufacturer to a distributor, retailer, or consumer.

§ 1302.4 Banned hazardous products.

Any extremely flammable contact adhesive and similar liquid or semiliquid consumer product as defined in § 1302.3 (b), which has been manufactured or initially introduced into commerce after January 17, 1978, is a banned hazardous product. In addition, any other extremely flammable contact adhesive and similar liquid or semiliquid consumer product, as defined in § 1302.3(b), no matter when manufactured or initially introduced into commerce, is a banned hazardous product after June 13, 1978.

§ 1302.5 Findings.

(a) *The degree and nature of the risk of injury.* The Commission finds that the risk of injury which this regulation is designed to eliminate or reduce is the risk of injury of burns from explosive vapor ignition and flashback fire associated with extremely flammable contact adhesives as defined in this rule.

(1) *Degree of the risk of injury presented by extremely flammable contact adhesives.* (i) In October 1976, the Commis-

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sion's staff prepared a report entitled Hazard Analysis on Contact Adhesive Fires. According to the Hazard Analysis, three factors that measure burn severity are percent of body burned, days hospitalized, and whether clothing ignition occurs. Injury data sources summarized in the Hazard Analysis reveal that contact adhesive fires often result in a high percent of body burned, result in many days hospitalized, and usually involve clothing ignition burns.

(ii) The American Burn Association (ABA) participated in a special survey with the Commission to obtain an estimate of the incidence and severity of burns associated with the use of contact adhesive cements. In January 1976, the President of the ABA sent a letter to the 1,300 ABA members asking the members to record any thermal injuries or deaths that have occurred between January 1975 and March 1976 associated with contact adhesives. In November 1976, the Chairman of the ABA Committee on Burn Prevention submitted a statement to the Commission estimating that between 45 and 125 contact adhesive related injuries are treated annually in hospital emergency rooms. Although ABA members reported an annual rate of 20 severe burn injuries for the January 1975 to March 1976 period, the actual rate of severe burn injuries may be higher, since only approximately 400 hospitals, less than 10 percent of the country's short-term hospitals, are represented in ABA membership. The results of the ABA survey, as reported by the ABA Chairman, showed that the injuries treated by members resulted in an average hospitalization of 42 days, almost double the length of stay for all burn victims in special facilities for burns. According to the ABA Chairman, when a burn victim experiences such a lengthy stay, it is an indication of very severe injury and predicts a lengthy period of recuperation and potentially permanent physical and psychological consequences.

(iii) The Hazard Analysis prepared by the Commission's staff also contains a summary of the results of the ABA survey. According to the Commission's